

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

ANTHONY WILLIAMS, : Case No. 1:25-cv-265
: :
Plaintiff, : :
vs. : District Judge Douglas R. Cole
: Magistrate Judge Caroline H. Gentry
: :
HAMILTON COUNTY JUSTICE :
CENTER, *et al.*, :
: :
Defendants. : :
=====

ORDER AND REPORT AND RECOMMENDATION

On April 25, 2025, this action was docketed in this Court. (Doc. 1).

It appears that the initiating documents in this case were filed in response to an Order and Report and Recommendation issued in Case No. 1:25-cv-1, which was adopted in its entirety by the District Judge, allowing Plaintiff to file updated service documents. (See Case No. 1:25-cv-1 (Doc. 9, at PageID 61)). Plaintiff submitted a new summons form and a new Complaint. He also included an additional defendant in the case caption. Plaintiff's submissions resulted in the opening of this action. However, Case No. 1:25-cv-1 is handwritten in the top corner of the Complaint document filed in this case. (See Case No. 1:25-cv-265 (Doc. 1, at PageID 1)). The summons form filed in this case also has Case No. 1:25-cv-1 written on it. (See Case No. 1:25-cv-265 (Doc. 1-1, at PageID 6)).

In light of the above circumstances, the Court understands the filings in this case to be intended for Case No. 1:25-cv-1. It is hereby **ORDERED** that the Complaint and summons form (Doc. 1) filed in this case, No. 1:25-cv-265, be docketed in *Williams v. Sgt. Franklin*, Case No. 1:25-cv-1 (S.D. Ohio). Further, because this case is duplicative of Case No. 1:25-cv-1, this

action should be **DISMISSED**. *See, e.g., Baldwin v. Marshall & Ilsley Fin. Corp.*, No. 1:11cv804, 2011 WL 7499434, at *4 (S.D. Ohio Nov. 23, 2011) (Litkovitz, M.J.) (and numerous cases cited therein), *adopted*, 2012 WL 869289 (S.D. Ohio Mar. 14, 2012) (Weber, J.) (noting the Court’s inherent power to dismiss an action when it is duplicative of another action pending in the federal court).

IT IS THEREFORE ORDERED THAT:

The Complaint and summons form (Doc. 1) filed in this case, No. 1:25-cv-265, be docketed in *Williams v. Sgt. Franklin*, Case No. 1:25-cv-1 (S.D. Ohio).

IT IS THEREFORE RECOMMENDED THAT:

This duplicative case be **DISMISSED**.

PROCEDURE ON OBJECTIONS:

If any party seeks review by the District Judge of this Report and Recommendation, that party may, within fourteen (14) days, file and serve on all parties objections to the Report and Recommendation, specifically designating this Report and Recommendation, and the part in question, as well as the basis for objection. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Response to objections must be filed within fourteen (14) days after being served with a copy. Fed. R. Civ. P. 72(b).

The parties are specifically advised that the failure to object to the Report and Recommendation will result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court. *See, e.g., Pfahler v. Nat'l Latex Prod. Co.*, 517 F.3d 816, 829 (6th Cir. 2007) (holding that “failure to object to the magistrate judge’s recommendations constituted a waiver of [the defendant’s] ability to appeal the district court’s ruling”); *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005) (holding that

defendant waived appeal of district court's denial of pretrial motion by failing to timely object to the magistrate judge's report and recommendation). Even when timely objections are filed, appellate review of issues not raised in those objections is waived. *Robert v. Tesson*, 507 F.3d 981, 994 (6th Cir. 2007) ("[A] general objection to a magistrate judge's report, which fails to specify the issues of contention, does not suffice to preserve an issue for appeal . . .") (citation omitted).

May 5, 2025

/s/ Caroline H. Gentry
CAROLINE H. GENTRY
United States Magistrate Judge